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REMARKS

Claims 1-7 and 24-36 are pending in the present application. In the Office Action mailed July 25, 2005, the Examiner rejected claims 24-29 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The Examiner next rejected claims 1-3, 24, 27, and 28 under 35 U.S.C. §102(b) as being anticipated by Lehman (USP 3,900,300). Claims 30, 32, and 33 are rejected under 35 U.S.C. §102(b) as being rejected as anticipated by Evans (USP 2,849,079). Claims 30-35 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman in view of Evans. Claims 4-7 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman taken together with Evans. Claims 25 and 26 are rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman in view of Evans. Claim 29 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman in view of Derocher (USP 2,515,398). Claim 36 is rejected under 35 U.S.C. §103(a) as being unpatentable over Lehman with Evans in view of Derocher.

The Examiner rejected claims 24-29 under 35 U.S.C. §112, second paragraph. Applicant has amended claims 24 and 27-29 to correct the antecedent basis of the elements called for therein. Accordingly, Applicant requests that the 35 U.S.C. §112, second paragraph rejection be withdrawn. Applicant has also amended claim 5 to correct the dependency thereof.

The Examiner rejected claims 1-3 under 35 U.S.C. §102(b) as being anticipated by Lehman. Applicant has amended claim 1 to further define the liquid separator defined thereby. Claim 1 calls for, in part, a liquid separator having a plurality of radially directed baffles. Each of the plurality of radially directed baffles is further defined as having an opening formed therein and proximate the liquid outlet to allow uninterrupted liquid flow thereto. As shown in Fig. 5 of the above-captioned Application, each of the plurality of radially directed baffles 142 has a generally arcuate opening 154 formed therein and proximate liquid outlet 132 to allow uninterrupted flow between the radial channels 152 and liquid outlet 132. As shown in Fig. 1 of Lehman, vortex breaker 14 extends all the way to liquid outlet means 13 and traverses therewith.

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That is, vortex breakers 14 crosses over liquid outlet 13 and, minimally, obstructs liquid outlet 13 by the thickness of vortex breaker 14. Referring to Fig. 4, Lehman states that “[t]he eight vortex breakers extend to the center of the vessel ...” and that “the vortex breakers therefore preferably extend across the opening of the liquid outlet means 13.” Col. 4, ln. 64-68. Lehman further states that “[t]he vortex breakers are preferably four semi-hemispherical plates which intersect one another above the outlet means 13 to form a sectioned volume similar in appearance to a halved grapefruit.” Col. 6, lns. 39-43. As such, a baffle as called for in claim 1, is not shown, taught, or suggested in Lehman. According, Applicant believes claim 1, and the claims which depend therefrom, are patentably distinct thereover.

The Examiner also rejected claim 24 under 35 U.S.C. §102(b) as anticipated by Lehman. Applicant has amended claim 24 to further call for, in part, an oil separator having a first baffle positioned proximate an inlet, a second baffle positioned about an oil outlet, and a plate attached to the second baffle and extending generally transverse thereto such that the second baffle does not extend therebeyond. As shown in Fig. 1 of Lehman, the vapor-liquid separation apparatus thereof includes several plates. The apparatus of Lehman includes a pair of liquid-vapor contacting trays 15, 17 and a ring-shaped plate 9 disposed generally below the liquid-vapor contacting trays 15, 17. Lehman discloses a plurality of vortex breaker plates 14 positioned proximate liquid outlet means 13. Lehman states that “Fig. 4 represents the view looking downward from a point below ring-shaped plate 9” and “[a]t this point, no horizontal structural elements are present and all numbered structural elements therefore represent vertical conduits or plates.” Col. 4, lns. 54-58. As shown in Fig. 1 of Lehman, lower cylindrical wall 10 is disposed between ring-shaped plate 9 and vortex breakers 14 which are positioned about liquid outlet 13. As such, a plate attached to and extending generally transverse to a baffle positioned about an oil outlet as called for in claim 24 is not disclosed, taught, or suggested in Lehman. Therefore, Applicant believes claim 24, and the claims that depend therefrom are patentably distinct thereover.

The Examiner next rejected claim 30 under 35 U.S.C. §102(b) as being anticipated by Evans. Claim 30 has been amended to call for, in part, an oil separator

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having a non-perforated partition positioned between a first chamber and a second chamber and forming an opening therebetween about a periphery of the partition. Evans discloses a plate positioned in a lower portion of the cyclone separator disclosed therein. As shown in Fig. 4, Evans states that “[t]he bottom plate 29 is formed with a central hole 32.” Col. 4, ln. 10. Evans further states that “[a] significant part of [the liquid swept over the top of the plate] enters the hole 32 and flows through the drain pipe 33 into the underflow outlet, thereby increasing the effectiveness of the plate 29.” Col. 3, ln. 74 to col. 5, ln. 3. Evans discloses a perforated partition and further teaches the benefits of such a construction. That which is called for in claim 30 is not disclosed, taught, or suggested in Evans. As such, Applicant believes claim 30, and the claims that depend therefrom, are patentably distinct thereover.

The Examiner next rejected claim 30 under 35 U.S.C. §103(a) as being unpatentable over Lehman in view of Evans. As argued above, Evans discloses a perforated partition plate and further teaches the benefits of such a construction. Evans states that hole 32 in plate 29 “increases the effectiveness of the plate 29.” Col. 5, ln. 3. Lehman also teaches a plurality of partition parts however, due to the construction of the separator of Lehman, each of the partitions thereto include at least one opening therethrough. Lehman states that “upward vapor flow is interrupted by at least two liquid-vapor contacting trays 15 and 17...” Col. 3, lns. 22-24. Lehman describes how the separated vapor passes through vapor perforations 6, through tray 15, and through tray 17 to vapor outlet conduit 20. Col. 3, lns. 15-57. Lehman discloses a plurality of perforated partitions which allow vapor to pass therethrough. An oil separator having a non-perforated position as called for in claim 30 is not taught or suggested in the art of record. Accordingly, Applicant believes claim 30, and those claims which depend therefrom, are patentably distinct over the art of record.

With respect the rejections of claims 2-7, 25-29, and 31-36, Applicant believes the claims as presented herein define the present invention over the art of record. As claims 2-7, 25-29, and 31-36 depend from claims believed to be otherwise patentably distinct over the art of record, Applicant believes these claims are also patentably distinct thereover pursuant to the chain of dependency.

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Therefore, in light of at least the foregoing, Applicant respectfully believes that the present application is in condition for allowance. As a result, Applicant respectfully requests timely issuance of a Notice of Allowance for claims 1-7 and 24-36.

Applicant appreciates the Examiner's consideration of these Amendments and Remarks and cordially invites the Examiner to call the undersigned, should the Examiner consider any matters unresolved.

Respectfully submitted,



Kirk L. Deheck
Registration No. 55,782
Phone 262-376-5170 ext. 16
kld@zpspatents.com

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P.O. ADDRESS:
Ziolkowski Patent Solutions Group, SC
14135 North Cedarburg Road
Mequon, WI 53097-1416
262-376-5170